

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Ray C. Hosier

Defendant

Case No. 2:10-mj-422-MRA

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) Ray C. Hosier,

who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Ray C. Hosier coerced and enticed a female minor to engage in sexually explicit behavior through interstate commerce, including by computer.

Date: 06/28/2010Mark R. Abel

Issuing officer's signature

City and state: Columbus, OhioMark R. Abel, Justin B. Myers, Special Agent U.S. Marshals Service

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

United States of America

v.

Ray C. Hosier
32781 Baldwin Road
Solon, Ohio 44139

Defendant

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)
)

Case No. Q: D-MJ-422-MR

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

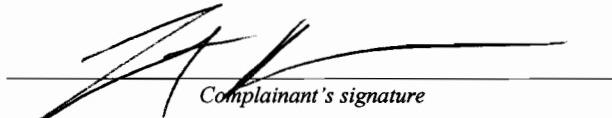
On or about the date of 06/27/2010 in the county of Franklin in the Southern District of Ohio, the defendant violated 18 U. S. C. § 2422(b), an offense described as follows:

Ray C. Hosier coerced and enticed a female minor to engage in sexually explicit behavior through interstate commerce, including by computer.

This criminal complaint is based on these facts:

see affidavit attached hereto and incorporated by reference herein.

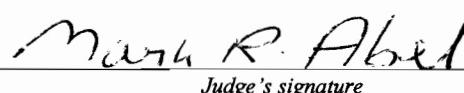
Continued on the attached sheet.


Complainant's signature

Justin B. Myers, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 06/28/2010


Judge's signature

City and state: Columbus, Ohio

Mark R. Abel, United States Magistrate Judge
Printed name and title

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT, EASTERN DIVISION OF OHIO**

In the Matter of the Criminal Complaint:

United States of America

V.

Ray C. Hosier
32781 Baldwin Road,
Solon, Ohio 44139

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Immigration and Customs Enforcement (ICE) Special Agent (SA) Justin Myers, being first duly sworn, hereby depose and state as follows:

1. I, ICE SA Justin Myers (your affiant) assigned to the ICE Office of Investigations in Columbus, Ohio, make this affidavit in support of a criminal complaint to arrest Ray C. HOSIER for violation of Title 18 United States Code Section 2422(b) – Coercion and Enticement of a Minor. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that Ray C. HOSIER committed the violations listed above.
2. On June 21, 2010, from 5:45:32 pm through 7:50:43 pm, Franklin County, Ohio Internet Crimes Against Children Task Force Detective Marcus Penwell conducted an internet investigation using the undercover Yahoo! screen name “openmomof3.” Det. Penwell entered a Yahoo! Ohio-based chat room. A subject using the screen names “lowlightf648” and “MJ,” who was later identified as Ray C. HOSIER of Solon, Ohio, used the internet to initiate a private chat session with Det. Penwell via Yahoo! Instant Messenger. HOSIER’s screen name first appeared as “lowlightf648,” but later changed to “MJ” after Det. Penwell added him as a friend to his Yahoo! Instant Messenger friend list. Det. Penwell told HOSIER he was a 36 year old mother (“Joy”) with a 15 year old daughter (“Abby”), who were sitting together during the chat session. HOSIER stated the following during the chat session, all while believing he was chatting with the 36 year old mother and 15 year old daughter:

He is a 43 year old male looking for new friends with open minds. HOSIER is a professional photographer who resides near Cleveland, Ohio. His telephone number is

440-220-2332. HOSIER asked if they were both looking to have sex. HOSIER stated it could be done if they all hit it off. HOSIER asked if they would be willing to let him take nude photographs of them while together and while alone. HOSIER stated the photographs could be very classy or close to porn. He provided a scenario where Joy could show Abby how to give a blow job while he photographs it. HOSIER asked the Joy if the Abby has ever sucked cock before. He asked Joy if she would be willing to show Abby how to do it. HOSIER agreed to take the photographs at the Joy's residence using his camera equipment. He agreed to meet Joy and Abby on Sunday June 27, 2010, around noon at the Bob Evans restaurant, which is located at 1111 Hilliard Rome Road in Columbus.

At 7:32:11 pm, HOSIER believed he was chatting solely with Abby. HOSIER told her he likes to take photographs of girls masturbating and masturbating guys. HOSIER asked Abby if that would be ok with her. At HOSIER's request, Detective Annie Durbin (posing as Joy) had telephone conversations with HOSIER in which he indicated that he wanted the things they had discussed to happen, but was very reluctant to talk about it on the internet chats for fear of getting into trouble. After this conversation, HOSIER would be more hesitant to chat explicitly on the internet and repeatedly told Joy and Abby that they could wait to see what happened when they all got together.

3. On June 25, 2010, at approximately 6:30 pm, Detective Annie Durbin (posing as Joy) called HOSIER via telephone, which was recorded. During this telephone call, Det. Durbin told HOSIER she has one concern about the scenario that was supposed to happen when the three of them met on Sunday June 27, 2010. Det. Durbin asked HOSIER to agree not to "cum in Abby's mouth." HOSIER agreed he would not cum in Abby's mouth. The meeting was again agreed upon by the two of them for 11:00 am on June 27, 2010, at the Bob Evans restaurant. HOSIER asked Joy to have Abby in a button down blouse with no bra when they met. After that, the phone call was terminated.

4. On June 27, 2010, HOSIER arrived at the Bob Evans restaurant located at 1111 Hilliard Rome Road in Columbus. He arrived driving a Mitsubishi Gallant, which he parked on the north side of the restaurant. Task force members arrested HOSIER at the scene.

5. Det. Penwell advised HOSIER of his Miranda Warnings. HOSIER waived his rights and agreed to be interviewed. HOSIER admitted to chatting with the 36 year old female known to him as Joy and with the 15 year old female known to him as Abby, that he solicited the two females together, and Abby alone, to engage in oral sex and masturbation with him, that the plan was to take pictures of this activity between the three of them, and that he did tell Joy on the phone that he would not cum in Abby's mouth. HOSIER, however stated that he had changed his mind about engaging in these activities on the drive to Columbus. A search of HOSIER's

vehicle revealed that he had brought numerous pieces of camera equipment with him to the meet location. When confronted with this, HOSIER admitted that the camera equipment in the trunk belonged to him, that he has photographed woman nude and engaged in sexual activity with them after meeting them on the internet. However he claimed that none of these women have been under the age of 18. HOSIER further admitted that he has chatted with other "underage females," on Yahoo, but has never met them in person.

CONCLUSION

6. Based upon the evidence gathered to date, there is probable cause to believe Ray C. HOSIER is responsible for and for Coercion and Enticement of a Minor.



Justin Myers,
Special Agent
Immigration and Customs Enforcement

Sworn to and subscribed before me this 28th day of June, 2010.



Mark R. Abel,
United States Magistrate
United States District Court
Southern District of Ohio